

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

RAYMOND L BARTEE, JR,

Plaintiff,

v.

JOHN C. PORTO, et al.,

Defendants.

Civil Action  
No. 17-0685 (RBK-JS)

**MEMORANDUM OPINION**

**Kugler, District Judge**

1. On February 1, 2017, defendant John C. Porto removed to this Court a civil rights complaint filed by Raymond L. Barte, Jr. in the Superior Court of New Jersey.

2. This Court granted the motion to dismiss filed by Judge Porto on the basis of judicial immunity on March 30, 2017. The complaint remained pending against the other named defendants.

3. Mail sent to plaintiff was returned as undeliverable on April 11, 2017. Plaintiff has not contacted the Court in the intervening time to provide an updated address.

4. Local Civil Rule 10.1(a) requires unrepresented parties to notify the Court of any change in address within 7 days. The Rule further provides that, failure to file such notice “may result in the imposition of sanctions by the Court.” *Id.* Indeed, failure to apprise the Court of an address change may result in the outright dismissal of the case for failure to proceed, or an administrative termination of the action without prejudice. *See, e.g., Boretsky v. Corzine*, No. 08-2265, 2008 WL 2512916 (D.N.J. June 23, 2008); *Allebach v. Cathell*, No. 06-5005, 2009 WL 2147145 (D.N.J. July 15, 2009).

5. As the Court does not have a current address for Plaintiff, the matter cannot proceed at this time. The Court will therefore administratively terminate the proceedings without prejudice to Plaintiff's right to reinstate this action by notifying the Court and defendants of his new address within 30 days.

6. Failure to provide an updated address within 30 days of the date of this Order may result in the matter being dismissed for lack of prosecution.

7. An appropriate Order follows.

**Date: October 5, 2017**

**s/Robert B. Kugler**  
ROBERT B. KUGLER  
U.S. District Judge

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**ORDER**

Mail sent to plaintiff having been returned as undeliverable on April 11, 2017; and Plaintiff having failed to provide the Court with a new address; and for the reasons explained in the Memorandum Opinion of today's date; and for good cause shown;

IT IS this 5th day of **October 2017**, hereby

**ORDERED** that the Clerk shall **ADMINISTRATIVELY TERMINATE** this matter for failure to comply with Local Civil Rule 10.1(a), without prejudice to reinstatement should Plaintiff notify the Court of his changed address within thirty (30) days from entry of this Order; and it is further

**ORDERED** that failure to comply with this Order may result in the matter being dismissed for lack of prosecution; and it is finally

**ORDERED** that the Clerk shall serve a copy of this Opinion and Order on Plaintiff at his last known address by regular mail.

**s/Robert B. Kugler**  
**ROBERT B. KUGLER**  
U.S. District Judge